

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LV, et al.,

Plaintiffs,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION, et al.,

Defendants.

No. 03-CV-9917 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

First, the Court has been advised by the Special Master's team that the development of the Impartial Hearing Management System ("IHMS") has encountered significant delays. They estimate that, given current progress, IHMS will launch no earlier than 2027. The Court further notes the Special Master's latest report shows that nearly all outstanding obligations arising from the Court's Order dated July 19, 2023 (dkt. no. 328), are contingent upon the successful implementation of IHMS (see dkt. no. 364).

Accordingly, the Court hereby directs Defendant New York City Department of Education ("DOE") to submit a detailed report outlining the specific barriers and constraints impeding the development and implementation of IHMS, including but not limited to staffing and contracting challenges. DOE shall also provide specific, time-bound recommendations to resolve these obstacles. This report shall be submitted to the Court no later than March 14, 2025.

Second, the Court acknowledges and commends the dedication and efforts of the Office of the General Counsel's Implementation Unit in carrying out its responsibilities. However, through discussions with the Special Master's team, it has become increasingly evident to the Court that the dual burden of managing day-to-day operations while simultaneously leading communications with its constituents (providers, advocates, parents) presents significant challenges.

Accordingly, the Court directs the DOE to identify and onboard an individual or individuals with demonstrated expertise in communications from outside the Office of the General Counsel to assume responsibility for the communications functions of the Implementation Unit. The Court notes that the DOE's Communications and Media Relations Office likely possesses the requisite skills to support this critical role.

The appointed individual(s) shall be responsible for overseeing and approving all public-facing content, including but not limited to training materials, emails, webpages, and guidance documents, to ensure a user-centered and effective communication approach. This role will support both current and future public-facing initiatives.

DOE is directed to identify the appropriate individual(s) and provide their qualifications to the Special Master no later than March 14, 2025.

SO ORDERED.

Dated: February 20, 2025
New York, New York

A handwritten signature in black ink, reading "Loretta A. Preska". The signature is written in a cursive, flowing style.

LORETTA A. PRESKA
Senior United States District Judge